

Heber City Corporation
City Council Meeting
July 6, 2016
4:00 p.m.

SPECIAL MEETING

The Council of Heber City, Wasatch County, Utah, met in **Special Meeting** on July 6, 2016, in the City Council Chambers in Heber City, Utah

I. Call to Order
[City Manager's Memo](#)

Present: Mayor Alan McDonald
Council Member Jeffery Bradshaw
Council Member Heidi Franco
Council Member Kelleen Potter
Council Member Jeffrey Smith (arrived at 4:17 p.m.)
Council Member Ronald Crittenden

Also Present: City Manager Mark Anderson
City Planner Tony Kohler
City Recorder Michelle Limon

Others Present: Nathan Eaton, D.R. Glissmeyer, Kieth Rawlings and Dennis Jensen

1. Consideration of Closed Meeting Pursuant to Utah Code Annotated §54-2-205 (a) discussion of the character, professional competence, or physical or mental health of an individual

Council Member Crittenden moved to enter into a closed session to review resumes for the Airport Manager position. Council Member Franco made the second. Voting Aye: Council Members Bradshaw, Franco, Potter, and Crittenden. Council Member Smith was excused.

At 4:06 p.m., the Council entered into closed session.

Following discussion, Council Member Crittenden moved to adjourn from closed session. Council Member Franco made the second. Voting Aye: Council Members Bradshaw, Franco, Potter, Smith and Crittenden.

At 4:45 p.m., the Council adjourned from closed session and the special meeting resumed.

2. Discussion and Approval of Temporary Airport Manager
[Airport Manager Job Posting](#)

Council Member Crittenden moved to offer to Paul Boyer the part-time/half-time Airport Manager position at a salary of \$35,000 broken into two week periods, with no benefits. Boyer's primary duty will be to assist the City in finding a full time Airport Manager, and in the interim to take over all of the management duties currently being held by Terry Loboschefsky. Boyer will work at will until the City finds another part-time or full-time Airport Manager up to six months. Council Member Franco made the second. Voting Aye: Council Members Bradshaw, Franco, Potter, Smith and Crittenden. Voting Nay: none.

5. Discussion Regarding Form-Base Code

Staff Report

Form Base Code - Version 6

Mumford stated he had some concerns regarding Section 2 of the proposed form based code. Mumford was concerned with where the different types of roads were being located, and how they would integrate into the existing roads. Mumford added that many of the items to be adopted, particularly in Section 2 would ripple through to the standards, and he felt there needed to be more debate on the issue, for example, road widths, radius of corners, bulb-outs, no private roads. He felt it would change the entire nature of Heber City. This would set the pace for what would need to be modified in the Master Plan, which would be updated in the following year. Mumford explained the hope would be to get the form based code adopted and integrated into the Master Plan over the winter, and integrated into new projects in the next year. Mumford felt the issue hadn't been addressed; he tried to address it with the Planning Commission, however they wanted to move on.

Mumford would be meeting with the consultant the following week to discuss his concerns and he hoped to have something to bring back to the Council in two weeks.

The Council proceeded with a review of each section of the code with the consultant, who addressed specific questions posed by the Council.

Council Member Crittenden discussed proposing one-way streets on 100 East and 100 West to ease traffic flow on Main Street, and attract business by making the rear areas of Main Street businesses accessible off the 100s. Crittenden proposed meeting with Mumford and Kohler and bringing it back for further discussion by the Council.

In reviewing Section 3, Council Member Franco proposed adding festival area street standards to the North and South sides of the Public Safety building.

It was discussed that the district layouts were similar to what was currently in place. The districts were created in response to community and steering committee comments, in that there was a desire to avoid substantial changes to the boundaries. The historic district would be located by the railroad. The consultant recommended calling the area Heritage and Recreational. Mayor McDonald suggested drawing a line to differentiate the government area, as the only historic facility was the railroad, and there were four governmental facilities located within the same area.

Council Member Franco requested that page 26, relating to Heritage and Recreation zoning be amended to include, "protect existing recreational uses, view sheds, tourism preferences, compatible opportunities that are important, and any increases infrastructure and buildings must be considered through public hearings and approved by the Heber City Council." Further, Council Member Franco expressed that power lines also needed to be included in this district (page 35, Section 13: Utility and Infrastructure)

Discussion turned to the airport overlay zone. It was discussed that the consultant should meet with Paul Boyer to discuss the airport area and to learn what businesses could and could not be located within the zone. Further, Council Member Franco noted that parking was not addressing airport businesses, and it needed to be included (page 95). The consultant responded that the parking section applied across all districts. Franco indicated she would check the wording in the Airport Minimum Standards to make sure it referred to the particular section in the new code. Council Member Crittenden felt there may be a need to provide some discretion to the Airport Advisory Board and the City Council with regard to the airport, since the airport operated under FAA grant assurances.

Next, the Council discussed annexations under the new code, and the planned community mixed-use zone (PCMU), located off Mill Road. Council Member Franco wanted to know if an agriculture overlay could be included in this area, as she was concerned with the zone blending with the 1-acre lots to the east of Mill Road. Kohler explained the history regarding zoning the area and associated annexation. He added that there were open space requirements and a trail corridor, as well as vegetation requirements on the berm separating the area.

The reduction of the downtown core area was discussed, along with the neighborhood support overlay zones to the north and south on Main Street. Council Member Franco then inquired regarding setback minimums and design standards on smaller lots. It was discussed that in the higher density developments with smaller lots, there would be more design standards. The consultant directed the Council to Appendix B in the code, that provided that design guidelines applied to all building projects within the City, with the exception of lots exceeding 65 feet in width; remodels that affected less than 50% of the existing structure on lots less than 65 feet wide; and subdivisions smaller than five lots. 65 feet was selected as the minimum, as it was the minimum lot width in the current R-3 zone. Council Member Franco felt this requirement needed to more specifically state 50% of the exterior structure. Further, she felt this was too onerous on the homeowner and suggested 75% of the structure. She also stated that her original goal was that the new design standards applied solely to new construction, rather than existing structures. It was discussed that the homeowner would need to increase the size of the house by 50% to trigger the design standards. The standards would not apply if a homeowner wanted to change stucco or paint color. Mayor McDonald polled the Council on whether they wished to amend the standard to 75%. Council Members Bradshaw and Smith: leave it at 50%. Council Members Potter and Franco: 75%. Council Member Crittenden did not respond.

Following a brief break, discussion resumed on Section 4, which outlined uses in various districts. Council Member Franco asked that on page 38, under Infrastructure, that "Utility & Infrastructure" be changed from 6 (Permitted with Development Requirements) to 0 (Requires a Conditional Use Permit). The consultant confirmed it should be a 0 under that section.

Discussion turned to specifics regarding Live/Work units and which businesses would be allowed, and the maximum number of employees allowed. Council Member Franco felt the two employee standard was too restrictive.

Regarding Section 5, Building Types: Council Member Franco felt limited bay structures should be allowed in the Downtown Village or Corridor, for a fire department, for example. The consultant believed that civic uses were exempt, however he would check and confirm.

Council Member Franco felt it would be nice to allow a large mansion-style building in the downtown corridor. She also felt the 2.5 story limit was arbitrary, especially for residential housing. The consultant responded that based on the comments received during the open house, the 2.5 story limit was added to allow more traditional housing. A visible basement would count as 1/2 story.

Discussion next focused on parking at business and residential areas. Council Member Crittenden took issue with the new parking restrictions for residential use. He felt they were too restrictive and that many homeowners would be surprised by the changes. As to commercial parking, Mayor McDonald felt it was more attractive to have the building set back with parking in the front, rather than set closer to the street with parking in the back. The consultant responded that the goal was to push traffic away from Main Street onto 100 East or 100 West, so if buildings were set back, it would encourage the opposite. Further, the building set back would decrease walkability in the downtown corridor. Setting buildings closer to the street would enhance pedestrian safety and walkability. The consultant stated that the downtown area would need to be reinvented to encourage walkable businesses to the core area on Main Street. Council Member Bradshaw commented that he foresaw many of the older downtown businesses would need to be torn down and new types of businesses would need to go in their place. The consultant stated that many towns in the nation were beginning to realize that without a strong core, the town would not be strong.

In discussion on Section 6 concerning open space, the consultant stated they worked with the Planning Commission, and he directed the Council's attention to page 76. The consultant encouraged open space in new developments exceeding five acres, and recommended 10% open space; there was also the option of a payment in lieu, which they recommended be applied to a recreational fund. Council Member Franco raised discussion concerning page 76, item 2, section 4, "Ownership." She felt the open space needed to be protected in perpetuity. The consultant suggested addressing open or park spaces in the development agreement, and include it on the deed to have contract language with the City that would not change. Following discussion, it was agreed that this item would state, "Open Space Types may be either publicly or privately owned according to the Development Agreement and recorded plat."

Mayor McDonald ended discussion on this agenda item for the evening. The Council agreed that a meeting to continue the form based code discussion would be held on Monday, July 18 at 4:00 p.m.

6. Other Items as Needed

3. Discussion Regarding Airport Pad Lease, Lease Period, Lease Rate and Terms Hangar Ground Lease Agreement Request for Bids

Council Member Crittenden reviewed the history and status of the airport hangar pad bids. The City had four pads available; six bids were submitted as of the July 5 deadline which remained sealed. Further, the bidding went out before the construction standards had been approved, and Crittenden thought there may be some items in the lease that would need to be discussed and possibly changed, especially regarding potential subleasing to commercial tenants, as in the case of Dave Hansen. Crittenden asked whether the Council would be in favor of opening the six bids and awarding the highest, or leaving them sealed and extending the bid deadline. Following discussion, it was agreed that the bids would remain sealed and the bidding date would be extended to August 15, opening up the bid to all other interested parties. The original six bidders would be notified of the extension and the reason for the extension. Further, the lease would be reviewed and updated, and the building standards finalized, so that potential bidders, and those who had already submitted bids, would have knowledge of what they were bidding on. Council Members Franco and Smith felt the bidders should be allowed the full building season in the following year.

With regard to amending the use of premises lease provisions to address situations like Dave Hansen's, Anderson stated that if the City were to introduce commercial use into the hangars, it would greatly impact the fire code, in that sprinklers would be required, which would also impact the building code. He added it could potentially impact hangars in close proximity as well. Council Member Crittenden felt there no commercial operations should be allowed unless it was through a SASO agreement with the City. Anderson suggested having Wes Greenhalgh review potential building code issues. It was indicated that the lease would be amended and brought before the Airport Board for the July 20 meeting.

4. Discussion Regarding Airport Pad Architectural/Construction Standards Architectural and Construction Standards

Council Member Crittenden stated that Paul Boyer recommended using R&M, an Idaho company that specialized in hangar kits, for all of the hangar construction. Crittenden did not like the idea of using just one company; however he felt they could recommend R&M as a source. Discussion ensued, after which the Council decided it needed to review the issue more carefully. It was agreed that the proposed standards could be put before the Airport Board for its meeting on July 20, and the Council would approve it on July 21.

Michelle Limon, City Recorder